SINGLE BENCH

CF 1001

# IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. Of 2006

PETITIONER : Smt. Vijay Laxmi Yadu Wd / o Late Shri Mithilesh Kumar Yadu aged about 45 years, Resident of Shikshak Colony , Station Para, Ward No.10, Rajnandgaon (CG).

P.R. No. 45 16/06
Presented by Shri Rakesh Anthony
dated 18/8/06

VERSUS

RESPONDENTS : 1.The State of Chhattisgarh, through the Secretary , Panchayat and Social Welfare Department, Mantralay , D.K.S. Bhawan, Raipur (CG).

2. Collector, District Rajnandgaon (CG).

3. Chief Executive Officer, Zila Panchayat, District Rajnandgaon (CG).

4. Director, Directorate of Panchayat and Social Welfare , D.K.S. Bhawan, Raipur (CG).

5. Deputy Director , Panchayat and Social Welfare District Rajnandgaon (CG).

OATH COMMISSIONER APARNA MALVIYA CG-2073/96 18/08/06 Bilaspur Chhattisgarh

RECEIVED-COPY 18/8/06 CLERK to A. G. BILASPUR

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

41

**मामला क्रमांक** W.P.4460/ **सन् 2006**

**आदेश पत्रक (पूर्वानुबद्ध)**

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|
| | **28-8-2006**<br>Mr. Rakesh Anthony, counsel for the petitioner.<br>Mr. Sumesh Bajaj, Govt. Advocate for the State/respondents No.1, 2, 4 & 5, on advance copy.<br>Heard both the counsel.<br>By this writ petition under Article 226/227 of the Constitution of India, the petitioner, who is the widow of Late Mithilesh Kumar Yadu, who was working as Gram Sahayak in the Panchayat Department, has made a prayer to direct the respondents to grant compassionate appointment to her on the post of Shiksha Karmi.<br>The case of the petitioner is that her husband was working as Gram Sahayak, who died in harness on 22-6-2004. Copy of the death certificate is Annexure P-1. Thereafter, the petitioner applied for compassionate appointment in the place of her husband. The petitioner is educated up to higher secondary and she has also passed Hindi-typing examination on 28-6-2004. The petitioner belongs to backward classes community. She made several representations for compassionate appointment. Thereafter, respondent No.5 vide letter dated 17-10-2005 asked the petitioner to give consent for the post of Shiksha Karmi. The petitioner submitted her consent to the District Education Officer on 18-4-2006, but thereafter, no order is being passed.<br>Learned counsel for the petitioner submits that on receiving the communication Annexure P-8 from the District Education Officer, the petitioner has submitted an affidavit also, even then, the case of the petitioner | |

P.T.O.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

42

**मामला क्रमांक** ..W.P.4460.. **सन् 2006**

**आदेश पत्रक (पूर्वानुबद्ध)**

| आदेश का दिनांक तथा आदेश क्रमांक | हस्ताक्षर सहित आदेश -2- | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
|---|---|---|

is not being considered. In the circumstances, learned counsel submits that respondent No.3 be directed to consider the case of the petitioner regarding compassionate appointment, in accordance with law, to which learned counsel appearing for the State/respondents No.1, 2, 4 & 5 has no objection.

Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and having perused the record, respondent No.3 is directed to consider the case of the petitioner for compassionate appointment, in accordance with law and pass appropriate order after considering the case of the petitioner.

With the direction aforesaid, the petition stands disposed of.

Parties are entitled for certified copy of this order.

**Sd/-**
**L.C.Bhadoo**
**Judge**

Soma

P.T.O.

31.8.06